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UBER TECHNOLOGIES, INC.
14 and OTTOMOTTO LLC

15 UNITED STATES DISTRICT COURT
16 NORTHERN DISTRICT OF CALIFORNIA
17 SAN FRANCISCO DIVISION

18 WAYMO LLC,
19 Plaintiff,
20 v.
21 UBER TECHNOLOGIES, INC.,
22 OTTOMOTTO LLC; OTTO TRUCKING LLC,
23 Defendants.

Case No. 3:17-cv-00939-WHA

**DEFENDANTS' ADMINISTRATIVE
MOTION TO FILE UNDER SEAL
PORTIONS OF THEIR REPLY IN
SUPPORT OF MOTION FOR
RELIEF FROM AND EMERGENCY
MOTION FOR STAY OF NON-
DISPOSITIVE PRETRIAL ORDER
OF MAGISTRATE JUDGE (DKT.
881)**

Pursuant to Civil Local Rules 7-11 and 79-5, Defendants Uber Technologies, Inc. and Ottomotto LLC (“Defendants”) submit this motion for an order to file under seal portions of their Reply in Support of Motion for Relief from and Emergency Motion for Stay of Non-dispositive Pretrial Order of Magistrate Judge (Dkt. 881). Specifically, Defendants request an order granting leave to file under seal the confidential portions of the following documents:

Document	Portions to Be Filed Under Seal	Designating Party
Reply in Support of Motion for Relief from and Emergency Motion for Stay (“Reply”)	Highlighted Portions	Defendants (blue) Plaintiff (green)
Exhibit A	Highlighted Portions	Defendants

The blue-highlighted portions of the Reply and the blue-highlighted portions of Exhibit 1 contain highly confidential information regarding financial terms of a business agreement and the potential value of stock awards contingent upon multiple factors, including information about the structure and negotiations of business agreements with counterparties who have ongoing relationships with Defendants and who have not been identified or involved in this case. These portions also include highly confidential discussions regarding company employee recruiting strategy. This highly confidential information is not publicly known, and its confidentiality is strictly maintained. If this information were to be released to the public, Defendants’ competitors and counterparties would have insight to how Defendants structure their business agreements, including what potential monetary and employment terms have been offered, which would allow them to tailor their own business negotiation strategy, such that Uber’s competitive standing could be harmed. (Declaration of Michelle Yang in Support of Defendants’ Administrative Motion to File Documents Under Seal (“Yang Decl.”) ¶ 3.)

The highlighted portions of the Reply were designated “Highly Confidential – Attorneys’ Eyes Only” by Waymo in accordance with the Patent Local Rule 2-2 Interim Model Protective Order (“Protective Order”), which the parties have agreed governs this case (Transcript of

1 3/16/2017 Hearing, page 6). Defendants file this material under seal in accordance with
2 Paragraph 14.4 of the Protective Order. (Yang Decl. ¶ 4.)

3 Pursuant to Civil Local Rule 79-5(d)(2), Defendants will lodge with the Clerk the
4 documents at issue, with accompanying chamber copies.

5 Defendants served Waymo with this Administrative Motion to File Documents Under
6 Seal on July 24, 2017.

7 For the foregoing reasons, Defendants request that the Court enter the accompanying
8 Proposed Order granting Defendants' Administrative Motion to File Documents Under Seal and
9 designate the service copies of these documents as "HIGHLY CONFIDENTIAL –
10 ATTORNEYS' EYES ONLY."

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12 Dated: July 24, 2017

MORRISON & FOERSTER LLP

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14 By: /s/Arturo J. González
ARTURO J. GONZÁLEZ

15 Attorneys for Defendants
16 UBER TECHNOLOGIES, INC.,
17 OTTOMOTTO LLC, and OTTO
18 TRUCKING LLC
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